

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application. No.: 10/572,537  
Applicant : Karl-Heinrich HERBER  
Filed : 03/17/2006  
TC/A.U. : 3728  
Examiner : Marie D. Patterson  
Docket No. : 056310.57444US  
Customer No. : 23911

Confirmation No. 2766

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed on May 23, 2008, Applicant respectfully traverses the Examiner's argument, assuming that two inventions are claimed in the patent application, that the two inventions do not relate to a single general inventive concept under PCT Rule 13.1. The Examiner argues that the two inventions lack the same or corresponding special technical features for the reason that the shoe of Group II does not require the special technical feature of use of a casting mold, bonding, use of a fillet, etc. However, whereas Applicant respectfully acknowledges that the method claims and apparatus claims do not share these features, the claims do share the special technical feature of the present invention where an edge of a shoe upper piece is disposed inside of an inner side of the inner sole. Applicant respectfully submits that both the method claims and the apparatus claims include this special technical feature. In the method claims, the method is claimed of placing the edge of the shoe upper piece inside of the inner side of the inner sole and the apparatus claim claims the structure of the edge of the upper piece being disposed inside of the inner side of the inner sole. Therefore, Applicant respectfully submits that both the inventions of Group I and Group II include the same or corresponding special technical feature such that claims directed to the

method of Group I and the apparatus of Group II should be examined in the patent application.

Applicant also respectfully directs the Examiner's attention to the substitute specification at least at para. [0014] where Applicant discusses the importance of this special technical feature in contrast to the prior art. Therefore, Applicant respectfully requests that the Examiner examine all of the pending claims in the application, i.e., claims 4-15, in the present application.

However, in order to meet the Examiner's requirement for a complete reply to this Restriction Requirement, even with Applicant's traversal of the Examiner's requirement for restriction, Applicant elects Group I, with claims 4-11, drawn to a method of producing a shoe.

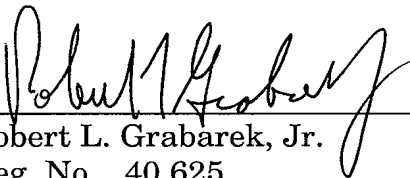
The Examiner is invited to contact the undersigned should the Examiner have any questions concerning this Paper. Applicant does not believe that any fees are required in connection with this Paper, however, the Office is authorized to charge any fees required to Deposit Account No. 05-1323 (Docket No. 056310.57444US).

Respectfully submitted,

CROWELL & MORING LLP

Dated: June 23, 2008

By



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